

REMARKS

I. General

Claims 21-36 are pending in this application.

Claims 21-27 and 29-35 stand rejected under 35 U.S.C. 103(a) over U.S. Patent Application Publication No. 2004/0139178 (hereinafter *Mendez*) and U.S. Patent Application Publication No. 2002/0161867 (hereinafter *Cochran*).

Claims 28 and 36 stand rejected under 35 U.S.C. 103(a) over *Mendez*, *Cochran*, and U.S. Patent No. 6,067,558 (hereinafter *Wendl*).

II. First ground of rejection – under 35 U.S.C. 103(a) over *Mendez* and *Cochran*

Claims 21-27 and 29-35 stand rejected under 35 U.S.C. 103(a) over *Mendez* and *Cochran*. Applicant hereby traverses the rejection.

A. Claim 21-27

It is well settled that if the proposed combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). The OA admits *Mendez* is silent to “the configuration applet when executing on the node searches the local network for the network device, the web browser enabling the user to generate a set of network configuration parameters for the network device under control of the configuration server by communicating with the configuration server via the network” and attempts to remedy this shortcoming with *Cochran*. OA pp. 2-4. However, the proposed combination would change the principle of operation of *Mendez* from providing only an authorized user access to providing any user access. *Mendez* teaches a system “providing only an authorized user with secure access through firewalls to services.” *Mendez* [0041]. The proposed combination would remove this principle of operation from *Mendez*, because by

incorporating *Cochran*'s searching for and configuring of other desired devices would create a system where instead of only the authorized user having access at *Mendez*'s remote terminal 105, any user (including unauthorized ones) would have access at *Cochran*'s desired devices. Hence, the combination would change *Mendez*'s principle of "providing only an authorized user with secure access through firewalls to services." Therefore, Applicant respectfully requests that the rejection be withdrawn.

It is also well settled that in order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Claim 21 recites "the configuration server generating a web page that enables access to a configuration applet." The combination does not teach these features of the claim at least because *Mendez* is silent to its global server 115 "generating a web page that enables access to a configuration applet." The OA appears to interpret *Mendez*'s global server 115 as meeting the claim's configuration server. OA pp. 2-4. *Mendez* teaches "operating system 380 may include an applet host engine 395 for transmitting applets to the remote terminal 105," but is silent to such transmitting being enabled by a web page generated by global server 115. *Cochran* is not relied upon nor does its cited portions teach such limitations. Hence, the combination fails to teach "the configuration server generating a web page that enables access to a configuration applet."

Claim 21 also recites "a web browser that enables a user to load the configuration applet from the configuration server onto the node via the network by accessing the web page." The combination fails to teach these limitations at least because *Mendez* is silent to "a web browser ... to load the configuration applet ... onto the node ... by accessing the web page." The OA interprets *Mendez*'s remote terminal 105 as meeting the claim's "node" and interprets global server 115 as teaching the claim's "configuration server." *Mendez* teaches "operating system 380 may include an applet host engine 395 for transmitting applets to the remote terminal 105," but is silent to such transmitting being enabled by a web page generated by global server 115. Thus, even under the OA's own interpretation of the cited art, *Mendez* fails to teach the limitations of the claim. *Cochran* is not relied upon nor does its cited portions teach such

limitations. Hence, the combination fails to teach “the configuration server generating a web page that enables access to a configuration applet.”

Claim 21 recites “such that the configuration applet when executing on the node searches the local network for the network device, the web browser enabling the user to generate a set of network configuration parameters for the network device under control of the configuration server by communicating with the configuration server via the network.” The combination fails to teach these limitations for at least three reasons. First, the OA is improperly interpreting a single teaching as meeting distinct claim limitations. The OA admits *Mendez* is silent to these limitations and appears to interpret *Cochran*’s configuration assembly 12 as meeting the claim’s “configuration applet” and also as meeting the claim’s “configuration server.” OA p.3 (stating that *Cochran*’s configuration assembly 12 facilitates a search [performed by the claim’s applet] and that *Cochran*’s configuration assembly 12 “enables [thc] user to generate (select) network configuration parameters [performed in the claim ‘under control of the configuration server’]”). Applicant respectfully asserts that such an interpretation is improper at least because a server is not an applet. Hence, the rejection is improper.

Second, the combination fails to teach these limitations at least because *Cochran* fails to teach “the configuration applet when executing on the node searches the local network for the network device.” The OA admits *Mendez* is silent to these limitations and appears to interpret *Cochran*’s configuration assembly 12 as meeting the claim’s “configuration applet.” OA p. 3. *Cochran* teaches “device configuration assembly 12 may be a device configuration program, which is disposed on a memory device or media (e.g., a disk), or it may comprise one or more remote devices or programs communicatively coupled to the computing device 14,” yet *Cochran* is silent to configuration assembly 12 being an applet. Hence, the combination fails to teach “the configuration applet when executing on the node searches the local network for the network device.”

Third, the combination fails to teach these limitations at least because *Cochran* fails to teach “under control of the configuration server.” The OA admits *Mendez* is silent to these

limitations and appears to interpret *Cochran's* configuration assembly 12 as meeting the claim's "configuration server." OA p. 3. *Cochran* teaches "device configuration assembly 12 may be a device configuration program, which is disposed on a memory device or media (e.g., a disk), or it may comprise one or more remote devices or programs communicatively coupled to the computing device 14," yet *Cochran* is silent to configuration assembly 12 being any form of server, much less a configuration server. Applicant asserts that configuration assembly 12, without more, is not a "configuration server." Hence, the combination fails to teach "under control of the configuration server."

Thus, the cited art does not teach or suggest all the claim limitations. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Claims 22-27 depend from and inherit all the limitations of claim 21. As discussed above, there are differences between claim 21 and the cited art. Thus, there are differences between claims 22-27 and the cited art. Therefore, Applicant respectfully requests that the rejection of claims 22-27 be withdrawn.

B. Claim 29-35

The OA admits *Mendez* is silent to "such that the configuration applet when executing searches the local network for the network device; generating a set of network configuration parameters for the network device under control of a configuration server by communicating with the configuration server via the network" and attempts to remedy this shortcoming with *Cochran*. OA pp. 2-4 (relying on the reasoning for rejecting claim 21). However, the proposed combination would change the principle of operation of *Mendez* from providing only an authorized user access to providing any user access. *Mendez* teaches a system "providing only an authorized user with secure access through firewalls to services." *Mendez* [0041]. The proposed combination would remove this principle of operation from *Mendez*, because by incorporating *Cochran's* searching for and configuring of other desired devices would create a system where instead of only the authorized user having access at *Mendez's* remote terminal 105, any user (including unauthorized ones) would have access at *Cochran's* desired devices. Hence,

the combination would change *Mendez*'s principle of "providing only an authorized user with secure access through firewalls to services." Therefore, Applicant respectfully requests that the rejection be withdrawn.

Additionally, claim 29 recites "generating a web page that enables access to a configuration applet via a network." The combination does not teach these features of the claim at least because *Mendez* is silent to "generating a web page that enables access to a configuration applet." The OA appears to interpret *Mendez*'s teaching of transmitting applets to remote terminal 105 as meeting these limitations. OA pp. 2-4 (relying on the reasoning used to reject claim 21). *Mendez* teaches "operating system 380 may include an applet host engine 395 for transmitting applets to the remote terminal 105," but is silent to such transmitting being enabled by a web page generated by global server 115. *Cochran* is not relied upon nor does its cited portions teach such limitations. Hence, the combination fails to teach "the configuration server generating a web page that enables access to a configuration applet."

Claim 29 also recites "loading the configuration applet via the network by accessing the web page." The combination fails to teach these limitations at least because *Mendez* is silent to these limitations. The OA appears to interpret *Mendez* teaching of transmitting applets to remote terminal 105 as meeting these limitations. OA pp. 2-4 (relying on the reasoning used to reject claim 21). *Mendez* teaches "operating system 380 may include an applet host engine 395 for transmitting applets to the remote terminal 105," but is silent to such transmitting being performed by accessing a web page. Thus, even under the OA's own interpretation of the cited art, *Mendez* fails to teach the limitations of the claim. *Cochran* is not relied upon nor does its cited portions teach such limitations. Hence, the combination fails to teach "the configuration server generating a web page that enables access to a configuration applet."

Claim 29 recites "such that the configuration applet when executing searches the local network for the network device; generating a set of network configuration parameters for the network device under control of a configuration server by communicating with the configuration server via the network." The combination fails to teach these limitations for at least three

reasons. First, the OA is improperly interpreting a single teaching as meeting distinct claim limitations. The OA admits *Mendez* is silent to these limitations and appears to interpret *Cochran's* configuration assembly 12 as meeting the claim's "configuration applet" and also as meeting the claim's "configuration server." OA p.3 (stating that *Cochran's* configuration assembly 12 facilitates a search [performed by the claim's applet] and that *Cochran's* configuration assembly 12 "enables [the] user to generate (select) network configuration parameters [performed in the claim 'under control of the configuration server']"). Applicant respectfully asserts that such an interpretation is improper at least because a server is not an applet. Hence, the rejection is improper.

Second, the combination fails to teach these limitations at least because *Cochran* fails to teach "the configuration applet when executing on the node searches the local network for the network device." The OA admits *Mendez* is silent to these limitations and appears to interpret *Cochran's* configuration assembly 12 as meeting the claim's "configuration applet." OA p. 3. *Cochran* teaches "device configuration assembly 12 may be a device configuration program, which is disposed on a memory device or media (e.g., a disk), or it may comprise one or more remote devices or programs communicatively coupled to the computing device 14," yet *Cochran* is silent to configuration assembly 12 being an applet. Hence, the combination fails to teach "the configuration applet when executing on the node searches the local network for the network device."

Third, the combination fails to teach these limitations at least because *Cochran* fails to teach "under control of a configuration server." The OA admits *Mendez* is silent to these limitations and appears to interpret *Cochran's* configuration assembly 12 as meeting the claim's "configuration server." OA p. 3. *Cochran* teaches "device configuration assembly 12 may be a device configuration program, which is disposed on a memory device or media (e.g., a disk), or it may comprise one or more remote devices or programs communicatively coupled to the computing device 14," yet *Cochran* is silent to configuration assembly 12 being any form of server, much less a configuration server. Applicant asserts that configuration assembly 12,

without more, is not a “configuration server.” Hence, the combination fails to teach “under control of a configuration server.”

Thus, the cited art does not teach or suggest all the claim limitations. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Claims 30-35 depend from and inherit all the limitations of claim 29. As discussed above, there are differences between claim 29 and the cited art. Thus, there are differences between claims 30-35 and the cited art. Therefore, Applicant respectfully requests that the rejection of claims 30-35 be withdrawn.

III. Second ground of rejection –under 35 U.S.C. 103(a) over *Mendez, Cochran, Wendt*.

Claims 28 and 36 stand rejected under 35 U.S.C. 103(a) over *Mendez, Cochran, and Wendt*.

Claims 28 and 36 each depend from and inherit all the limitations of one of claims 21 or 29. As discussed above, there are differences between claims 21 and 29 and the cited art. *Wendt* is not relied upon nor does it cited portions cure these deficiencies. Thus, there are differences between claims 28 and 36 and the cited art. Therefore, Applicant respectfully requests that the rejection of claims 28 and 36 be withdrawn.

CONCLUSION

In view of the above, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-1078, under Order No. 10003416-1 from which the undersigned is authorized to draw.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

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